

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

JOHN HARLEY TALLANT

PETITIONER

v.

No. 1:22-cv-00192-MPM-JMV

BRANDON SMITH

RESPONDENT(S)

**ORDER GRANTING PETITIONER'S MOTION
TO PROCEED *IN FORMA PAUPERIS* AND
DIRECTING STATE TO RESPOND**

John Harley Tallant has filed a petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 and seeks to proceed *in forma pauperis*. It is **ORDERED**:

1. That the petitioner's application for leave to proceed *in forma pauperis* is **GRANTED**.
2. No later than February 25, 2023, the respondent, through Lynn Fitch, the Attorney General of the State of Mississippi, must file an answer to this petition, along with full transcripts of all proceedings in the state courts of Mississippi arising from the charges of 3 counts of child pornography against the petitioner in the Circuit Court of Lee County, Mississippi (to the extent such transcripts are relevant to the State's response).
3. Within 14 days of service upon him of a copy of respondent's answer, petitioner may file his traverse or reply to the allegations contained in such answer.
4. The clerk of this court will serve by email (Return Receipt, High Importance) a copy of the petition, this order, acknowledgment of service of process form, and any other initial filings, upon Lynn Fitch, Attorney General of the State of Mississippi, or her lawful successor, to Assistant Attorneys General Jerrolyn Owens and Bridgette Grant. The respondent must electronically file the completed acknowledgment of service of process form upon receipt.

Petitioner is warned that failure to keep this court informed of his current address could also lead to dismissal of his lawsuit.

SO ORDERED, this, the 12th day of December, 2022.

/s Jane M. Virden

UNITED STATES MAGISTRATE JUDGE